

MINUTES

MONTANA SENATE
51st LEGISLATURE - SPECIAL SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By Vice-Chairman Gary C. Aklestad, on July 14, 1989, at 8:00 a.m., Room 108, Capitol

ROLL CALL

Members Present: Senator Gary Aklestad, Senator Loren Jenkins, Senator Matt Himsl, Senator Paul Boylan, Senator Tom Keating, Senator Judy Jacobson, Senator Swede Hammond, Senator Larry Tveit, Senator Fred Van Valkenburg, Senator Dennis Nathe, Senator Greg Jergeson, Senator Gerry Devlin, Senator Richard Manning, Senator Sam Hofman, Senator Ethel Harding

Members Excused: Senator Esther Bengtson, Senator Pat Regan, Senator Lawrence Stimatz, Senator Pete Story

Members Absent: None

Staff Present: Judy Rippingale

Announcements/Discussion: HB 64

Chairman Aklestad indicated that HB64 is the supplemental feed bill, that they have already had the hearing on it and need to take executive action. He added that they are assuming today will be the last day of the special session.

Chairman Aklestad referred the committee to lines 17-19, on page 1, and indicated these are the new monies being appropriated, and then pointed out that there is a reallocation on page 2. He noted that the Legislative Council had so much money on page 1, and \$60,000 on page 2, and indicated that he understands they could not reduce it down to the \$16,000, but he thinks there might be some slack in there. He stated that the reallocation is a portion of the total money left over from the last special session, and that what they are willing to give up of that total carry-over is \$60,000 for the House and \$50,000 for the Senate, noting that there is money left in the carry-over which is going to be used, he thinks, for computers in the House, and fixtures and a few things in the Senate, but that there is extra money there if they want to use it.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 14, 1989

Page 2 of 8

Discussion:

Senator Devlin asked Chairman Aklestad if he said this is carry-over from the last special session. Chairman Aklestad excused himself, and indicated that it is carry-over from the last regular session, that, if he said special, it was a misstatement. He explained that the money is being reallocated from the last regular session.

Chairman Aklestad then indicated, noting that maybe the Fiscal Analyst can dispute this, that he understands, at this point in time, there is a little over \$200,000, \$210,000, in the House and maybe \$90,000 in the Senate, and the House has reallocated \$60,000, and the Senate has reallocated \$50,000. He then indicated that the Legislative Council has \$16,000 here, noting that, between the \$60,000 and the \$16,000, there is some clarification in there that they could not take the whole thing with the Council, that those figures do not quite jockey. He pointed out that, if the committee wants to leave everything there, and just add monies to it for yesterday and today, it will take \$17,000 additional for the Senate and \$28,000 additional for the House, noting that these are round figures, which would be added on to those figures, if they do not want to have a reallocation or use up some of the surplus. He asked if everybody follows him. Several committee members indicated that they do not.

Senator Nathe indicated that, if they do not use up the surplus, it is up to the discretion of the Speaker and the President of the Senate how to spend those dollars. Chairman Aklestad indicated that is right, and pointed out that, right now, they have \$72,000 allocated for the House and \$25,000 for the Senate, that the Council has been scratched, and they have a reallocation of monies out of the last regular session of \$60,000 and \$50,000 for the House and the Senate, and \$60,000 for the Legislative Council, and those figures will be added to page 1, which would have gotten them up to the day before yesterday. He further indicated that, if they do not want to have a reallocation or have them use up any of the extra monies in their budget, they would have to appropriate \$17,000 for the Senate and \$28,000 for the House for yesterday and today, which would be above and beyond the figures in the bill.

Senator Keating asked if the reallocation is money which was appropriated previously. Chairman Aklestad responded yes. Senator Keating further asked why it did not revert. Chairman Aklestad responded that it just has not had time to, he does not think, noting that he is not sure why it did not. He

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 14, 1989

Page 3 of 8

added that, if they had walked out of here without doing anything, those monies could have been used without reallocation, he understands, that it could have been used to pay for the remainder of the special session. He indicated that maybe Mr. Bob Person, Legislative Council, could address why it has not reverted yet.

Mr. Bob Person stated that it did not revert because the feed bill appropriates money through the end of the second fiscal year, so it will revert two years from June 30th. Senator Keating asked if it was appropriated in the last biennium for this biennium. Mr. Person responded that feed bills typically appropriate money from January through the end of the second biennium. Senator Keating indicated they have been here and have spent a bunch of money, that they go through the machinations of either appropriating or reallocating, and asked what are they sitting around here wondering about, and what decisions do they have to make, whether to use up money which was previously allocated, or appropriate new money.

Chairman Aklestad indicated that he will go through the bill again. Senator Keating asked Chairman Aklestad not to read the figures, but to just tell him what is wrong with using money that was unspent, if they are saving it for some reason, or what is wrong with appropriating new money, so they show true figures of expenditures, indicating that he does not understand why they are visiting.

Chairman Aklestad responded that the money which will be reallocated is a portion of the money left over from the last regular session, and pointed out that the reallocation is on page 2. He indicated that those figures are a portion of what was left over from the last regular session, that they are not the total figures of what was left over, but he gave the committee the total figure. He then indicated that, if they do not want to go any deeper into the money originally appropriated in the regular session, they have to come up with new money, and that new money, shown on page 1, is \$72,000 and \$25,000. He then pointed out that the reallocation and the new money was only good up to the day before yesterday, that this bill, as the committee sees it, was only appropriated up to the day before yesterday. He indicated that, if the committee does not want to take any more old monies out of the past session, which still has some surplus, they have to come up with additional money for yesterday and today, and that those figures are \$17,000 for the Senate and \$28,000 for the House.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 14, 1989

Page 4 of 8

Senator Keating asked what is wrong with using reallocated money rather than appropriating new funds. Chairman Aklestad responded nothing, he guesses, that he is just laying it out so the committee understands, and is not proposing one or the other. Senator Keating asked what are the consequences of using reallocation or surplus. Chairman Aklestad responded that there is \$150,000 left, in the House, in surplus monies from the last regular session, and there is approximately \$40,000 in the Senate, noting that these are ballpark figures, not the exact numbers, but that they are pretty close. He indicated that, if they want to use some of that, they could but, as he stated before, of the \$150,000, he thinks they are trying to use some of it for computers and maybe other things, noting that they could not get that out of Representative Bardanouve yesterday when he asked the question, that it was a gray area. He added that the Senate, he thinks, has some fixtures and a rug, or something, they are going to buy, and a few things like that, which he dug up, and they were not able to get from the questions.

Senator Keating asked if Chairman Aklestad is saying that money is earmarked for some other thing and, if they reallocate it for the special session, they do not get to spend it for these other things. Chairman Aklestad responded that is true, noting that he does not know if they can say earmarked, but that is their desire.

Senator Jergeson asked if the extra money would be used to pay for party caucuses after the next election. Chairman Aklestad responded no, and indicated that is a separate allocation, that party caucuses and all that stuff are not part of that figure. He asked Ms. Rippingale if that is true.

Ms. Rippingale responded that the money Senator Aklestad is talking about is money left over after allowing for party caucuses and start-up for the next session, so that is money which really is very discretionary. She added that it is money which House and Senate people have some plans they would like to use it for, and it is not necessary for start-up of the next session.

Chairman Aklestad indicated that the only reason he is bringing this up is that he does not want to get up on the floor, and somebody has done some investigating and checked on this and knows the monies are there, that he wants to be up-front with the committee, and that what they do with it is up to them.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 14, 1989

Page 5 of 8

Senator Hofman indicated that Chairman Aklestad mentioned something about computers, and asked when are those computers going to be in use. Chairman Aklestad responded that he has no idea. Senator Hofman indicated that it sounds a little bit strange that they want to get new computers, but nobody knows who or where or when or why. Chairman Aklestad responded that he is sure there is a where and why, that he is sure somebody has that answer, but he does not.

Senator Keating indicated that it sounds to him like there is a little slush fund sitting there, and somebody says it is really not earmarked for anything, it is not designated for anything in particular, that it has been appropriated and could be used for some discretionary spending, but nobody really knows what it would be spent for, until they get down to the last sixty days of when they can keep it in the slush fund, and then it will be spent for something, probably. He further indicated that he wants to know if that money has a specific valid potential use, or if it is just discretionary money sitting there waiting to be spent.

Chairman Aklestad responded that he thinks it is for computers for the House and fixtures or a rug for the Senate, noting that maybe Mr. Person knows exactly where it is going. Senator Jacobson stated that this is something they do every year, that it is the money they used during the last interim to buy computers and chairs for the Senate, that it goes through Legislative Administration and, often times, the leadership, and that it is approved by legislators before the money is used. She added that some of it is set aside for leadership travel for meetings which some of their leadership may attend.

Mr. Person indicated that he will provide Senator Aklestad, before he goes to the floor, with a breakdown. He then reported that this issue began because he thinks a similar discussion began when the bill hit the House of Representatives committee to appropriate additional money for the special session. He indicated that he thinks the original philosophy was that they appropriate money for the special session, sort of the way Senator Keating was saying, and it is all recognized in that appropriation, but that the House committee asked if there was some money left over from the regular session so they did not have to appropriate all the new money. He further indicated that they responded there was, and then looked at the amount of money in the three agency appropriations for the regular session, that they saw how much had been expended, then looked at what was obligated for different uses and what was budgeted for different uses,

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 14, 1989

Page 6 of 8

and then talked with the leadership. Mr. Person reported that a leadership meeting was held last Tuesday, that they discussed it, and the leadership made a recommendation as to the amount of money from the original regular session appropriation which they felt would be available, and comfortable, to be reallocated for this use. He added that they directed the amounts in this bill for the House and the Senate, noting that he recommended up to \$60,000 would be reasonable for the Council. He pointed out that, so everybody could see what was being done in terms of that reallocation, they put it right in the bill as the reallocated amount, and reduced the new appropriation amounts correspondingly.

Mr. Person explained that, noting that he does not remember the precise dollars, if the House of Representatives came up with something like \$250,000 of the original appropriation which is now unexpended, they looked through all of the different budget items, including money budgeted for pre-session caucuses, which was deducted, that the amount budgeted for leadership travel, which was \$10,000 for each house, was deducted from that balance, and the monthly insurance premiums for legislators, which is the biggest single budget item, was also deducted. He indicated that brings them down to an amount of money, which is perhaps a little softer, that was budgeted for purchases.

Mr. Person then reported that, in the House of Representatives, an amount was specifically budgeted, which was discussed during the regular session, and that \$149,000 was specifically identified in the regular feed bill to be directed toward capital expenditures, most of which would be used to enhance the House of Representatives' personal computer network so that it would come up to a level approximately that of the Senate. He pointed out that, as the committee members may recall, the regular session feed bill contained a clause which required that the actual specific purchases and the systems which would be installed be done in accordance with an overall legislative branch plan, and that Representative Gerry Nisbet sponsored a bill, which passed, that provided a structure for the development of that plan, which they are working on right now. He added that the money is still in there, and the House of Representatives has identified that as a project they still want to pursue, but that they can not say they are going to buy specific equipment because the planning has not been done, that it will be done and put in place for the next regular session, and they want to continue to hold that money out.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 14, 1989

Page 7 of 8

Mr. Person then pointed out that, in the Senate, the sound system does not work, there are some problems with the carpet, and he thinks there are some things they want to do with the voting computer, which are some of the things the Sergeant at Arms office has been looking at, along with the Senate Administration Committee. He indicated that was all discussed with leadership, that they took into an account approximately \$51,000 which they needed to conduct those projects if, in fact, they move forward, so that amount was deducted, and they came up with what could be called a discretionary amount which could, in fact, be reallocated for this purpose, but that the leadership directed that amount of money be specifically identified for this kind of activity.

Mr. Person indicated they could say that, based on the desire of the House to do a reallocation, they found a maximum amount of money which leadership identified for reallocation and then, in all probability, they need to appropriate the daily cost in addition to that. He added that they probably will not spend them into a negative balance with this additional appropriation, that it will be somewhere in the ballpark, and he thinks the leadership and Administration Committee were fairly direct about the fact that this is an appropriation for the special session, to pay special session costs.

Chairman Aklestad asked Mr. Person what the difference is between the \$16,000 and \$60,000 on the Council side. Mr. Person responded that he is looking at a fairly conservative effort just to budget up, that this is what his best guess is as to how much staff time, how much printing they are going to do, how many more long-distance telephone calls legislators are going to make, and all those things that the budget pays for. He indicated that he would say \$16,000 but, if they would like them to not appropriate that money, but reallocate up to a certain amount out of the regular appropriation, which is left over because the bids on publications came in lower or they did not do as much printing, he can reallocate up to that \$60,000. He pointed out that they will just do it once and, if they end up here next week and have another one of these supplementals, they will not have to even talk about the Council, that they can get them through to the end of the month with that kind of an authorization.

Chairman Aklestad announced that the Senate goes on the floor in six minutes.

Motion: Senator Keating offered a motion that the committee concur in HB64 plus the general fund money for the additional days.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 14, 1989

Page 8 of 8

Chairman Aklestad noted that would be \$45,850 allocated out, that they will have to add to the appropriation side on line 18 and add \$28,690. He indicated that, after the calculation is done on page 1, line 18, the House will show \$101,161, and the Senate will show \$42,246.

Senator Nathe asked if that takes care of them up until tonight. Chairman Aklestad responded yes. Senator Van Valkenburg asked if they need an amendment, that they can not just concur in it with the addition.

Amended

Motion: Senator Keating offered a motion that HB64 be amended to include the additional appropriation for the additional days of the special session.

Vote: Motion passed unanimously.

Motion: Senator Keating offered a motion that HB64, as amended, be concurred in.

Senator Manning asked if, for some unforeseen reason, the House does not get done, how do they cover that. One response was that they will work free, and another was that they had better get out of town. Chairman Aklestad indicated that they will not work free tomorrow, that they just went through all this scenario of the slush fund and, if they had not had this bill at all, both sides would have been funded.

Vote: Motion that HB64, as amended, be concurred in passed unanimously.

ADJOURNMENT

Adjournment At: 8:25 a.m.


GARY C. AKLESTAD, Vice-Chairman

DAILY ROLL CALL

FINANCE AND CLAIMS

COMMITTEE - 1989

DATE

July 14, 1989

NAME	PRESENT	ABSENT	EXCUSED
Senator Gary Aklestad	✓		
Senator Loren Jenkins	✓		
Senator Esther Bengtson			✓
Senator Matt Hims1	✓		
Senator Paul Boylan	✓		
Senator Tom Keating	✓		
Senator Judy Jacobson	✓		
Senator H.W. "Swede" Hammond	✓		
Senator Pat Regan			✓
Senator Larry Tveit	✓		
Senator Fred Van Valkenburg	✓		
Senator Dennis Nathe	✓		
Senator Greg Jergeson	✓		
Senator Gerry Devlin	✓		
Senator Richard Manning	✓		
Senator Sam Hofman	✓		
Senator Lawrence Stimatz			✓
Senator Ethel Harding	✓		
Senator Pete Story			✓